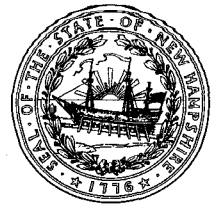




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-103**

September 15, 2006

Mr. Steve & Sandra Aucoin
Trustees of Aucoin Realty Trust
660 Washington St
Braintree, MA 02184

RE: DES Wetlands File #2003-689, 173 Gardners Grove Rd, Belmont, Tax Map/Lot #119/012

Dear Mr. & Mrs. Aucoin:

On July 24, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Belmont Tax Map 119 as Lot 012 (the "Property"). The purpose of the inspection was to determine compliance with the Comprehensive Shoreland Protection Act ("CSPA"), RSA 483-B and NH Code of Admin. Rules Env-Ws 1400-1411.

During the recent inspection and further file review, DES personnel noted that a seasonal dock had been installed on your frontage that is larger than the approved dimensions. In accordance with the seasonal dock notification received by DES on April 18, 2003, Wetlands permit # 2003-689 the dock cannot exceed 6 feet wide by 30 feet long.

Therefore, DES requests that:

1. You immediately remove all portions of the dock that are longer than 30 feet and within 10 days submit photo documentation to DES documenting removal.

If you wish install a dock that is longer than 6'x 30' you will need to submit a standard dredge and fill application (copy enclosed) and obtain a permit prior to future installation. In order to obtain a permit you would need to demonstrate a need for the additional length based on the lack of adequate water depth in the docking area.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

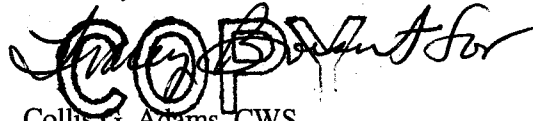
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Darlene Forst
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Darlene Forst at (603) 271-4067.

Sincerely,

A handwritten signature in black ink, appearing to read "Collis G. Adams", is written over a large, stylized "COPY" stamp.

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5542

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Belmont Conservation Commission
Belmont Board of Selectmen
USACOE